

# **CDBG Certified Administrators Program Certification Policy**

## **Section 1**

### **Definitions:**

As used in this policy:

- (a) “Grant Administrator” means any individual who is required by the Community Development Block Grant program to obtain and hold an administrator’s certificate in order to administer CDBG grants.
- (b) “CDBG” means the State Small Cities Community Development Block Grant program administered through the Office of Community and Rural Affairs, hereinafter referred to as “OCRA”
- (c) “HUD” is identified as the U.S. Department of Housing and Urban Development.
- (d) “Division” means the Grant Support Division of OCRA.
- (e) “Director” means the Director of the Grant Support Division of the Office of Community and Rural Affairs (OCRA).
- (f) “Program Managers” means one of the Managers of the CDBG program of the Office of Community and Rural Affairs (OCRA).
- (g) “Debarment” or “debarred” is a process by which an administrator’s certificate is revoked or non-renewed.
- (h) “Executive Director” means the Executive Director of the Office of Community and Rural Affairs (OCRA).
- (i) “Office” means the Indiana Office of Community and Rural Affairs (OCRA).

## **Section 2**

### **Policy:**

The efficient administration of grants is important for the growth and vitality of economic and infrastructure initiatives in Indiana. Because well-trained administrators are critical to the proper functioning of CDBG programs, this policy of certifying and decertifying grant administrators insures the best possible stewardship of federal block grant funds used in CDBG programs administered by OCRA and that such programs will be administered by competent individuals adhering to generally uniform work habits and guidelines.

## **Section 3**

### **Certification:**

#### BASIC COURSE, CDBG 101

For all persons interested in learning about the CDBG program. This will be much the same as the current GA Training Course and will consist of three days training and half day test.

- May be attended by City, Town or County elected officials, engineers, architects, or others who desire a basic knowledge of the CDBG program;
- Required by anyone who wants to become a certified grant administrator, as a prerequisite to required training;

Completion of this course with a passing test grade will earn a Certificate of Completion but will NOT entitle the recipient to provide Grant Administration professional services.

### CONDITIONAL GRANT ADMINISTRATOR CERTIFICATION COURSE

For all persons interested in becoming a “Conditional” Certified Grant Administrator. This will consist of a one day class covering the following subject matter:

- |                             |         |
|-----------------------------|---------|
| • Financial Management      | 4 Hours |
| • Civil Rights, MBE/WBE/DBE | 2 Hours |
| • Procurement               | 2 Hours |

Completion of this course with a passing test grade in addition to completion of CDBG 101 Basic Course will earn a “Conditional” Grant Administrator Certification, which allows the recipient to provide grant administration services for Planning Grants only.

### ACCREDITED GRANT ADMINISTRATOR CERTIFICATION COURSE

For persons who have earned a Certificate of Completion from the Basic Course, CDBG 101 and a Conditional Grant Administrator Certification the following classes must be completed within 2 years of obtaining the Certificate of Completion:

- |                                      |         |
|--------------------------------------|---------|
| • Environmental Review               | 8 Hours |
| • URA (Acquisition) and Fair Housing | 8 Hours |
| • Labor Standards                    | 8 Hours |
| • Recordkeeping and Modifications    | 4 Hours |
| • Closeout and Monitoring            | 4 Hours |

Completion of these courses with passing test grades in addition to the CDBG 101 Basic Course Certificate of Completion and the Conditional Grant Administrator Certification allows the recipient to provide grant administration services on all types of CDBG projects.

### CONTINUING EDUCATION REQUIREMENT

- The Accredited Grant Administrator Certification will be effective for two years from date of issuance. **During that period of time, at least twelve hours of continuing education classes must be completed to extend the accreditation for an additional two years.**

- The Office of Community and Rural Affairs reserves the right to require any Accredited Grant Administrator to retake specific classes in order to maintain their accreditation.

## **MASTER LEVEL ADMINISTRATOR**

After five years of active involvement with the OCRA CDBG program administration in accordance with the following guidelines, the Accredited Grant Administrator may apply to OCRA for a Master Level Administrator Designation.

- Must have experience in all types of project development and administration including but not limited to Infrastructure projects, Public Facilities and Improvements projects, Slum and Blight projects, Economic Development projects, Planning activity projects and any other type of project awarded through the Community Development Block Grant Program.
- Must demonstrate experience in successfully managing projects using multiple funding sources and maintaining CDBG compliance during the process.
- Must exhibit the capability to successfully resolve complex CDBG issues.
- Must have obtained timely close out on all CDBG grant projects administered, with no findings or findings resolved within a reasonable length of time.
- With request for Master Level Designation, must submit a statement of qualifications or resume with cover letter.
- If performing Grant Administration services for a company or regional planning commission, a letter of recommendation for Master status from the company owner or director would be appreciated but is not required.
- The Office of Community and Rural Affairs will make the final decision on whether Master Level status is approved, subject to scoring criteria, reference checks and experience of OCRA staff in regard to the guidelines listed above.
- To maintain Master Level status, the Grant Administrator must, at a minimum, attend the Annual Master Grant Administrator Working Group meeting.

## **Section 4**

### **Recertification:**

Recertification will be required in specific instances. If a grant administrator does not complete the entire certification process within 24 months, they will be required to start the process over. If a grant administrator does not comply with all continuing education requirements they will be debarred from working on any CDBG projects and will be required to begin the entire process over again, beginning with the Basic Course, CDBG 101.

## **Section 5**

### **Continuing Education (CE):**

Twelve (12) hours of continuing education (CE) are required every twenty-four (24) months. The CDBG program staff will present or offer four (4) to six (6) continuing education classes

each year. Notification of each year's offering will be given during or prior to January each year. The Grant Support staff will try to notify CDBG Administrators as other outside courses are offered; however, we cannot waive continuing education requirements. CDBG staff must approve the continuing education module for all outside courses prior to participation for verification of adequacy to serve this requirement.

## **Section 6**

### **Administrator in Good Standing:**

To avoid probation or debarment, an administrator should remain in good standing. An administrator is considered in good standing by achieving the following objectives:

1. Timely submission of all documents and forms required by the CDBG program.
2. Assure all deficiencies noted in a monitoring letter are resolved within 30 days.
3. Ensure that the same deficiencies do not occur in multiple monitoring letters.
4. No complaints are received from local units of government about the administrator's performance.

The list is not all-inclusive and is subject to change with notice as we all work to ensure that the highest quality administrators are working for CDBG grantees in the State of Indiana.

## **Section 7**

### **Monitoring Findings:**

The monitoring handbook shall assist administrators in grant administration and monitoring preparation. The goal is to assure the administrator knows exactly what Grant Support will review at the monitoring. The timely submittal of documents and forms will be emphasized in the monitoring packet. This will include but are not limited to: Semi-Annual Reports, Disclosure Reports, Notice of Start of Construction, Contractor Verification of Eligibility and 10-Day Call. The monitoring packet will provide consistency in monitoring and documentation of deficiencies. The monitoring letters will show four (4) different areas: Grantee Findings, General Findings, Deficiencies and Satisfactory Performance.

1. Grantee Findings are those requirements that are the primary responsibility of the City, Town or County. A grantee finding will not be counted against the administrator. An example is the City did not issue payment within five business days; however, payment was made on the sixth day. This does not mean the administrator can ignore this requirement. If the administrator has not overseen this issue and payment was not made for 30 days, it would be a Grantee Finding as well as a General Finding.
2. General Finding is any deficiency that cannot be corrected. An example is a Semi Annual Report that was not submitted by the deadline. Each general findings will count as 1/3 of a violation so it takes three General Findings to count as one violation.
3. Deficiency is something that can be corrected. Most issues found in a monitoring will fall under this area. The administrator will have 30 days from the date on the monitoring letter to resolve a deficiency. If the deficiency is not resolved within 30 days, it becomes a violation.

- One exception that should be noted is if the same deficiency is documented in multiple letters to the same administrator, it will become a violation against the administrator's certification.
4. Satisfactory Performance occurs when there are no Grantee Findings, General Findings or Deficiencies noted during the monitoring.

A violation will remain on the administrator's record for a three-year period. A violation will only be removed from the tracking after a three-year period. This is a revolving three year period (2011, 2012 and 2013 once 2011 drops off 2014 will be added). Three documented violations will result in probationary status. The tracking of these deficiencies are public record.

## **Section 8**

### **Leaving the Certification Program, either by Choice, Failure, or by Debarment:**

Should a certified administrator leave the certification program and the project is less than 75 percent complete, the contract must be terminated and services of a currently certified administrator obtained. If a grantee plans to terminate any contract due to loss of an administrative certification, the project will be subject to an interim monitoring by the state staff. The interim monitoring will include a review of activities to date will include the resolution of all monitoring findings made during the time that administrator was under contract. An agency under contract with a grantee may not be subject to this requirement if the project can be assigned to another certified administrator on staff at the time of loss of the certification by the first individual.

## **Section 9**

### **Administrative Probation:**

The Director, in consultation with the Program Managers of CDBG, may place a certified administrator on administrative probationary status for a period of up to one year if the certified administrator has accumulated three violations listed in Sections 7 and 8. The Program Managers shall document reasons for the probationary status. Probationary notification will be made by certified mail and shall be effective from date of the receipt of such certified mail. No appeal shall be allowed of probationary status. During the probationary period, OCRA will dictate which continuing education classes must be taken. After the probationary period, the Certified Grant Administrator may be fully reinstated if there are no further documented violations within that period. If other violations are documented, the probationary period ends and the debarment process will proceed. The Certified Grant Administrator will be allowed to participate in Continuing Education classes to maintain their certification during the probationary period.

## **Section 10**

### **Causes for Debarment:**

A person may be debarred if any of the following have occurred within a reasonable period of time before institution of debarment proceedings:

- (1) Serious or repetitive violation of any federal or state law or Office program regulation or instruction.
- (2) Serious or repetitive failure to perform contractual obligations or carry out representations or warranties to the Office or to any grantee under any program administered by the Office.
- (3) Acts of misconduct indicating a lack of business integrity directly affecting responsibility to participate in Office programs, including but not limited to, the following:  
(A) False representation; (B) Embezzlement; (C) Theft; (D) Forgery; (E) Fraud; (F) Negligent service; (G) Bribery; (H) Falsification of record; (I) Receiving stolen property.
- (4) Serious or repetitive violations of any nondiscrimination or equal opportunity requirements in connection with any program.
- (5) Debarment from any agency of the federal government or of any state government.  
(Office of Community and Rural Affairs; 17 IAC 1-2-1)

## **Section 11**

### **Procedure for Debarment:**

#### Initial Determination:

The initial determination of the Office, entitled Notice of Recommended Debarment, shall be mailed to the person against whom debarment is recommended, in writing and signed by the Executive Director, or his or her designee, and shall include the following:

- (1) A statement indicating that as a result of an investigation made by the Office, debarment is recommended and would consist of exclusion from participation in all Office programs.
- (2) One (1) or more of the grounds stated in 17 IAC 1-2-1.
- (3) A short, plain statement of the reasons for the recommended debarment.
- (4) A statement that the person has the right to file a written objection within fifteen (15) days with the Executive Director of the Office, and, if no written objection is timely filed, the determination of debarment shall be made. (Office of Community and Rural Affairs; 17 IAC 1-3-1)

#### Prehearing Conference:

Any person who has received an initial determination recommending debarment is entitled to a prehearing conference to discuss all charges, provided that the conference is requested in the objection filed under this title.

The prehearing conference shall be an informal proceeding, scheduled by and involving the Executive Director of the Office, or his or her designee.

If, after the prehearing conference, the initial determination is settled or adjusted, a written synopsis shall be prepared by the office and submitted to the person for approval. The person's failure to file a response to the synopsis within fifteen (15) days after the date of mailing will be deemed approval by the person.

If any person, after being duly notified, fails to appear at a prehearing conference, that person shall be deemed to have waived his or her request for a prehearing conference. (Office of Community and Rural Affairs; 17 IAC 1-3-2)

#### Hearing Recommendations:

A hearing officer, appointed by the Executive Director of the Office, shall conduct the debarment hearing.

Upon conclusion of the hearing, the hearing officer shall issue recommendations to the Executive Director of the office as to the determination of debarment, which shall not exceed three (3) years.

Any interested and affected person may file with the office his or her objections to the entry of such determination in writing within fifteen (15) days thereafter. (Office of Community and Rural Affairs; 17 IAC 1-3-3)

#### Final Order:

The Executive Director of the Office, or his or her designee, shall issue a final order under IC 4-21.5. (Office of Community and Rural Affairs; 17 IAC 1-3-4)

#### Judicial Review:

For any procedure not specifically provided in this article, the provisions of the Administrative Orders and Procedure Act, IC 4-21.5, shall be followed. Any person aggrieved by the final order or determination made by the Office shall be entitled to judicial review thereof in accordance with said provisions. (Office of Community and Rural Affairs; 17 IAC 1-3-5)